

The Bihar Right to Information Rules, 2005

In exercise of the powers conferred by section 27 of the Right to Information Act, 2005 (22 of 2005), the Government of Bihar hereby makes the following rules, namely:-

1. Short title extent and commencement.-

- (1) These rules may be called the Bihar Right to Information Rules, 2005.
- (2) These rules extend to the whole State of Bihar. They shall come into force from the date of their publication in the official gazette.

2. Definition.-

- (1) In these rules, unless the context otherwise requires,-
 - (a) 'Act' means the Right to Information Act, 2005;
 - (b) 'Commission' means the State Information Commission constituted under section 15 of the Act;
 - (c) 'Form' means form appended to these rules;
 - (d) 'Fees' means fees prescribed by the State Govt.
 - (e) Public Information Officer means State Public Information Officer as designated under sub-section (1) of section (5) of the Act and includes State Assistant Public Information Officer as designated under sub-section (2) of section (5) of the Act.
- (2) The words and expressions used but not defined in these rules shall have the meaning assigned to them in the Act.

3. Application for obtaining information.-

- (1) A person who desires to obtain information shall make an application in **Form A** accompanying with the prescribed fees, or through the e-media to the Public Information Officer and the receipt of the application shall be given to the applicant in **Form B**. The fees may be paid in cash wherever facility for cash receipt is available, or by Demand Draft or by Pay order or in the form of non-judicial stamp.
- (2) (i) The applicant shall be required to pay the application fees as prescribed by the Government.

Provided that a person applying through the e-media shall have to pay the fees within seven days from the date of application, failing which the application shall be treated as withdrawn.

(ii) The Public Information Officer shall inform the applicant in **Form C** regarding other fees and charges to be paid as prescribed by the Government.

Provided that no fees and charges shall be payable by a person belonging to the Below Poverty Line families provided that such person encloses with the application, a certified copy of the Below Poverty Line Card or a certificate issued in that behalf by the concerned authority.

4. Disposal of the application.-

(1) The Public Information Officer shall be required to provide the information sought for, to the applicant within thirty days of the receipt of the request in **Form 'D'** or inform the applicant about rejection of application in Form F taking into consideration the provisions of sections 8 and 9 of the Act:

Provided that where the information sought for concerns the life or liberty of a person, the Public Information Officer shall be required to provide such information within forty-eight hours of the receipt of such request or application.

Provided that the applicant shall be given reasons for not giving the information which is exempted from disclosure under section 8; or under section 9 of the Act.

(2) In case where the information sought for, does not fall within the jurisdiction of the Public Information Officer to whom the application is made, he shall transfer such application in **Form E** to the concerned Public Authority/Public Information Officer within five days of the receipt of the application and inform the applicant immediately about such transfer.

Provided that where the information sought for concerns the life or liberty of a person, the Public Information Officer shall be required to provide such information within forty-eight hours of the receipt of such request or application.

5. Rates of fees.-

The rates of fees and other charges for obtaining required information and documents shall be prescribed by the State Government and may be changed by the State Government from time to time.

6. Appeal.-

(1) Any person aggrieved by a decision of the Public Information Officer in **Form D** or in **Form F**, or does not receive any decision, as the case may be, he may prefer an appeal in **Form G** within thirty days from the date of receipt or non-receipt of such decision, to the appellate authority appointed by the Government in this behalf.

(2) The applicant aggrieved by an order of the appellate authority under sub-rule (1) may prefer the second appeal to the State Information Commission within ninety days from the date of the receipt of the order of the appellate authority giving following details:

- (i) Name and address of the applicant;
- (ii) name and office address of the Public Information Officer;
- (iii) Number, date and details of the order against which the Second appeal is filed;
- (iv) Brief facts leading to second appeal;
- (v) Grounds for appeal;
- (vi) Verification by the appellant;
- (vii) Any information which commission may deem necessary for deciding the appeal.

(3) Every appeal made to the Commission shall be accompanied by the following documents:

- (i) Certified copy of the Order against which second appeal is preferred.
- (ii) Copies of documents referred to and relied upon by the appellant along with a list thereof.

(4) While deciding appeal the Commission may,-

- (i) take oral or written evidence on oath or on affidavit;
- (ii) evaluate the record;
- (iii) inquire through the authorized officer further details or truthfulness;
- (iv) summon the Public Information Officer or the appellate authority who has heard the first appeal;
- (v) hear the third party; and
- (vi) obtain necessary evidence from the Public Information Officer or the appellate authority who has heard the first appeal.

(5) The Commission shall serve the notice in any one of the following modes,-

- (i) service by the party itself;
- (ii) by hand delivery;
- (iii) by registered post with acknowledgement due; or

(iv) through the Head of the Department or its subordinate office.

(6) The Commission shall after hearing the parties to the appeal, pronounce in open proceedings its decision and issue a written order which shall be authenticated by the registrar or such officer as may be authorized by the Commission in this behalf.

7. Maintenance of records.-

(1) The Public Information Officer shall maintain the records in respect of the applications received for information and the fees collected for giving the information.

(2) The Departmental Appellate Authority will maintain the records in respect of all appeals received and disposed off.

(3) The State Information Commission shall maintain the records regarding all appeals received and disposed off.

8. Miscellaneous.-

For the purpose of removing any doubt it is hereby clarified that the 'forms', as prescribed under these rules, need not be in authorized pre-printed stationery, but any format neatly typed, handwritten or in electronic form which covers essential details prescribed in the form shall be valid.

FORM A

(See rule 3(1))

Application form for obtaining Information

I.D. No.

(For office use)

To

The Public Information Officer,

(Department/Office)

1. Name of the applicant :
2. Full Address :
3. Particulars of Information :
required (in brief)
4. I, hereby, state that the information sought is not covered under the categories which are exempted from disclosure of information under section 8 or under section 9 of the Right to Information Act, 2005 and to the best of my knowledge, it is pertaining to your Department/office.
5. *(1) I have paid the fees Rs. _____ in words rupees
on dt. _____
vide receipt no. _____ in the Department/office of _____.
- *(2) I enclose herewith Demand draft/Pay order No. _____ Dt. _____ drawn in favour of _____ Officer, issued by _____ Bank towards the fees payable.
- *(3) Non-judicial stamp of Rs. _____ is affixed on this application.
- *(4) I belong to B.P.L. family. Xerox copy of my card/Certificate is enclosed herewith.

Place:

Signature of the applicant:

Date:

e-mail address, if any:

Telephone No. (Office):

(Residence):

N.B. Person belonging to B.P.L. family need not pay any type of fees.

*** Strike out whichever is not applicable.**

FORM B
(See rule 3(1))
Receipt of any application

From:
The Public Information Officer,
(Department/office)

I.D. No. _____ Date: _____

1. Received the application dated _____ in **Form A**, prescribed under sub-rule (1) of rule 3 of the Right to Information Rules, 2005 from Shri/Smt./Kum. _____, resident of _____

2. The information shall be provided within 30 days. In any case, if it is found that it is not possible to give the required information, a letter showing reasons thereof or rejecting the request shall be issued.

3. The applicant may contact the undersigned during 11.00 a.m. to 1.00 p.m. on dt. _____. (here mention the date not later than thirty days from the date of the receipt of an application).

4. In case of failure to remain present on the stipulated date by the applicant, the Public Information Officer shall not be held responsible for delay in providing information.

5. The applicant shall be required to deposit the outstanding amount of fees or charges, if any, prior to collection of the information or the documents.

(_____)
Public Information Officer:
Name of the Department/Office:
Telephone No.:
e-mail:
Website:

FORM C

(See rule 3(2))

Intimation to applicant to deposit fee and charges for required information and/or documents

To

Shri/Smt./Kum. _____

Address: _____

Sir,

With reference to your request/application dt. _____ (I.D.No. _____ dtd. _____), I am to state that you are required to deposit Rs. _____ (in words Rupees _____ only) for required information and documents sought for. It is requested to obtain the copies of the required information/documents after depositing the amount in this Department/office.

- | | | |
|-----|--|-----|
| (1) | Total No. of pages _____ x Rs. 2 per page
A3, A4 size | Rs. |
| (2) | Total No. of Large size pages
(except A3, A4 size) x Rs. 3 per page | Rs. |
| (3) | Photograph x Rs. 10 per photograph | Rs. |
| (4) | CD charges..... x Rs. 50 per piece | Rs. |
| (5) | Charges for inspection of record
(No fees for the first half an hour and
thereafter Rs. 20/- for each half an hour.) | Rs. |

Note: *The existing rates of fees for inspection of records shall continue wherever such system or procedure exist and the aforesaid fees shall not be applicable.*

- | | | |
|-----|--|-----------|
| (6) | Charges for sample/Model (amount of actual cost) | Rs. _____ |
|-----|--|-----------|

Note: *Procedure stipulated by the Department for the sample or the model shall have to be followed.*

Total Rs.

Yours faithfully,

(_____)

Public Information Officer:

Name of the Department/Office:

Telephone No.:

e-mail:

Website:

FORM D

(See rule 4(1))

Supply of information to the applicant

From:

The Public Information Officer,
(Department/Office)

No:

Date:

To

Shri/Smt./Kum. _____

Address: _____

Sir,

This is with reference to your application dated: _____ (I.D. No. _____ date _____) requesting for supply of information.

*2. Details of required information is enclosed herewith.

*3. Out of the required information sought for/ the partial information is supplied as under:

(1)

(2)

(3)

(4)

*4. With reference to your request for supplying information, the following information/documents cannot be supplied for the following reasons:

1.

2.

3.

4.

5. If you are aggrieved by the above decision, you may prefer an appeal to _____ within thirty days from the date of receipt of the decision.

Yours faithfully,

N.B.: Pl. specify,
Name/Address of the
appellate Authority

(_____)

Public Information Officer:

Name of the Department/Office:

Telephone No.:

e-mail:

Website:

*Strike out whichever is not applicable.

FORM E

(See rule 4(2))

Transfer of application pertaining to other authority

From:

Public Information Officer

_____ Department/Office

Address: _____

No: _____ Dt. _____

To

Shri/Smt.

(Public Information Officer)

_____ Department/Office

Address: _____

Sir,

Please find enclosed herewith an application from Shri _____ dt. _____ (I.D. No. _____), for the reasons stated below:

Required information does not fall within the jurisdiction of this Department/office. As it falls within the jurisdiction of your Department/office, the same is transferred herewith to you for further necessary action.

It is certified that the applicant has paid Rs. _____ (Rupees _____ only) on account of fees/charges for obtaining required information, which has been credited in the Government treasury/account.

Yours faithfully,

(_____)

Public Information Officer:

Name of the Department/Office:

Telephone No.:

e-mail:

Website:

Copy to:

To

Shri/Smt/Kum. _____

(Applicant)

1. As your application pertaining to required information doesn't fall within the jurisdiction of this Department/office, it has been transferred to the Public Information Officer having jurisdiction. You are requested to contact the Public Information Officer mentioned above.

FORM F
(See rule 4(1))
Order of rejection of Information

From:
Public Information Officer
_____ Department/Office
Address: _____

No.: _____ Dt.: _____

To
Shri/Smt./Kum. _____
Address: _____

Sir,

With reference to your application dated: _____ I.D. No. _____
requesting for supplying information, I am to state that _____:

1. The information requested cannot be provided for the following reasons:

The information requested falls within the exempted categories under sub _____ rule
_____ of section 8 or under section 9 of the Act.

2. If you are aggrieved by the above decision, you may prefer an appeal to
* _____ within thirty days from the date of receipt of the decision.

N.B.: Pl. specify,
Name/Address of the
Appellate Authority

Yours faithfully,

(_____)
Public Information Officer:
Name of the Department/Office:
Telephone No.:
e-mail:
Website:

FORM G
(See rule 6(1))
Form of First Appeal

I.D. No.
Date:
(For office use)

To
The Appellate Authority
(Department/office)_____

Sir,

As I have not received any decision/As I am aggrieved by the decision of the Public Information Officer_____, I, hereby file this appeal. The particulars of my application is as under:

1. Name of the Appellant:
2. Address of Appellant:
3. (A) Name of the Public Information Officer:
Address of Public Information Officer:
(B) Department/office and address:
(C) Particulars of the decision against which the appeal is preferred including the No. & Date of such decision.
4. Date of application submitted in the **Form A**:
5. Details of Information:
 - (1) Information asked for
 - (2) Period for which information is sought
6. Date as on completion of 30 days after submitting application in **Form A**.
7. Reasons for Appeal —
 - (A) No decision is received within 30 days of submission of application in **Form A**
 - (B) Aggrieved by the decision of Public Information Officer Dated:
8. Ground for appeal. Brief facts of the case.
9. Last date for filing the appeal:
10. Prayer/reliefs sought for:

I hereby state that the information and particulars given above are true to the best of my knowledge and belief.

Place:
Date:

Name of appellant
Signature of appellant:

e-mail address, if any:
Telephone No.(Office):
Residence:

..... cut from here

Acknowledgement

From:
Public Information Officer
_____ Department/Office
Address: _____

I.D. No.

Date:

1. Received an appeal application of Shri _____ a resident of _____ in **Form G** prescribed under sub-rule (1) of rule 6 of the Bihar Right to Information Rules, 2005.

Signature of the receipt Clerk
Office of the Appellate Authority:
Telephone No.:
e-mail:
Website:

By order and in the name of the Governor of Bihar

()
Deputy Secretary,
General Administration Department
Government of Bihar

FORM H

Format for Information to be obtained from any section of the same Public Authority

From:
Public Information Officer
_____ Department/Office
Address: _____

Letter No.: _____ Date.: _____

To
Shri/Smt./Kum. _____
Section Officer/Under Secretary: _____
Section: _____

Sir,

The application of Shri/Smt./Kum. _____ I.D. No. _____
_____ is hereby attached.

The desired information relates to this department, but it is available in your section..

Hence, desired information may kindly be made available immediately.

Yours faithfully,

(_____)
Public Information Officer:
Name of the Department/Office:
Telephone No.:
e-mail:
Website:

(a) **Application fees:** Rs. 20 per application

(b) **Other fees and charges**

Sr. No.	Details of Information required	Price in Rupees
1	Any information available in the form of publication.	Actual price of publication
2	Other information/documents	
A.	Information provided in	
(i)	A4, A3 size paper	Rs. 2/- per page
(ii)	Larger size paper :	Amount of actual cost.
B.	For sample, Model or photographs.	Amount of actual cost
	<u>Note:</u> Procedure stipulated by the Department for the sample or the model shall have to be followed.	
C.	For inspection of records:	No fees for the first half an hour and thereafter Rs. 20/- for each half an hour. <u>Note:</u> The existing rates of fees for inspection of records shall continue wherever such system or procedure exist and the aforesaid fees shall not be applicable.
D.	For information to be furnished in a floppy or a disc, wherever possible:	Rs. 50/- per floppy or disc.
3	The Appellate Authority shall charge a fee of Rupees Fifty per appeal.	
4	The Government may change fee charges when necessity arises.	



बिहार सरकार

RIGHT TO INFORMATION RULES 2006

NOTIFICATION

Government of Bihar
Personnel & Administrative Reforms Department

NOTIFICATION

Patna-15, dated- 28.6.06

No.8/Su.A.15-02/2006-Ka-6161 In exercise of the powers conferred by section 27 of the Right to Information Act, 2005 (Central Act.22 of 2005) the Government of Bihar hereby makes the following Rules, for implementation of the provisions of the said Act, namely:-

1. **Short title extent and commencement:-** (1) These Rules may be called the Bihar Right to Information Rules, 2006.
(2) These Rules extends to the whole State of Bihar.
(3) It shall come into force with immediate effect.
2. **Definition:-** (1) In these Rules, unless the context otherwise requires,-
 - (a) 'Act' means the Right to Information Act, 2005 (Central Act. No. 22 of 2005);
 - (b) 'Commission' means the State Information Commission constituted under section 15 of the Act;
 - (c) 'Form' means form appended to these Rules;
 - (d) 'Fees' means rates determined under Schedule-I of these Rules, which may be redetermined by the State Government by a separate notification from time to time;
 - (e) "Public Information Officer" means State Public Information Officer as designated under sub-section (1) of section (5) of the Act and includes State Assistant Public Information Officer as designated under sub-section (2) of section (5) of the Act;
 - (f) "State Government" means the Government of Bihar.(2) The words and expressions used but not defined in these Rules shall have the meaning assigned to them in the Act.
3. **Application for obtaining Information:-** (1) A person who desires to obtain information shall make an application in **Form 'A'** accompanied with the prescribed fees, or through the e-medium to the Public information Officer. The receipt of the application shall be given to the

applicant in **Form 'B'**. The fees may be paid in cash wherever facility for cash receipt is available. Otherwise by Demand Draft or by Pay order or in the form of non-judicial stamp.

- (2) (i) The applicant shall be required to pay the application fees and charges as determined by the State Government:

Provided that a person applying through the e-medium shall have to pay the fees within seven days from the date of application, failing which the application shall be deemed to be withdrawn.

- (ii) The Public Information Officer shall inform the applicant in **Form 'C'** regarding other fees and charges to be paid as determined by the Government:

Provided that no fees and charges shall be payable by a person belonging to the Below Poverty Line families provided that such person encloses with the application, a certified copy of the Below Poverty Line Card or a certificate issued in that behalf by the District Magistrate of the concerned district or sub-divisional officer of the concerned subdivision.

- (iii) The amount received as charges and fees shall be deposited in the receipt Head prescribed by the Finance Department.

4. **Disposal of the application.-** (1) The Public Information Officer shall be required to provide the information sought for, to the applicant within thirty days of the receipt of the request in **Form 'D'** or inform the applicant about rejection of application in **Form 'F'** taking into consideration the provisions of sections 8 and 9 of the Act:

Provided that the applicant shall be given reasons for not giving the information which is exempted from disclosure under section 8 or under section 9 of the Act.

Provided further that where the information sought for concerns the life or liberty of a person, the Public Information Officer shall be required to provide such information within forty-eight hours of the receipt of such request or application.

- (2) In case where the information sought for, does not fall within the jurisdiction of the Public Information Officer to whom the application is made, he shall transfer such application in **Form 'E'** to the concerned Public Authority/Public Information Officer within five days of the receipt of the application and inform the applicant immediately about such transfer.

5. **Rates of fees.-** The rates of fees and other charges for obtaining required information and documents shall be such as determined under Schedule-1. The State Government may from time to time redetermine the fees and charges by amendment in Schedule-1 through a notification published in the office Gazette.
6. **Appeal.-** (1) Any person aggrieved by a decision of the Public Information Officer in **Form D** or in **Form F**, or does not receive any decision, as the case may be, may prefer an appeal in **Form G** within thirty days from the date of receipt or non-receipt of such decision, to the appellate authority appointed by the State Government in this behalf.
- (2) The applicant aggrieved by an order of the appellate authority under sub-rule (1) may prefer the second appeal to the Commission within ninety days from the date of the receipt of the order of the appellate authority giving following details:
- (i) Name and address of the applicant;
 - (ii) Name and office address of the Public Information Officer;
 - (iii) Number, date and details of the order against which the Second Appeal is filed;
 - (iv) Brief facts leading to Second Appeal;
 - (v) Grounds for Appeal;
 - (vi) Verification by the appellant;
 - (vii) Any information which commission may deem necessary for deciding the appeal.
- (3) Every appeal made to the Commission shall be accompanied by the following documents:
- (i) Certified copy of the Order against which second appeal is preferred.
 - (ii) Copies of documents referred to and relied upon by the appellant along with a list thereof.
- (4) While deciding appeal the Commission may.-
- (i) take oral or written evidence on oath or on affidavit;
 - (ii) evaluate the record;
 - (iii) inquire through the authorized officer further details or truthfulness;
 - (iv) summon the Public Information Officer or the appellate authority who has heard the first appeal;
 - (v) hear the third party; and

- (vi) obtain necessary evidence from the Public Information Officer or the appellate authority who has heard the first appeal.
- (5) The Commission shall serve the notice in anyone of the following modes,-
- (i) service by the party itself;
 - (ii) by hand delivery after taking receipt;
 - (iii) by registered post with acknowledgement due; or
 - (iv) through the Head of the Department or its subordinate office.
- (6) The Commission shall after hearing the parties to the appeal, pronounce in open proceedings its decision and issue a written order which shall be authenticated by the registrar or such officer as may be authorized by the Commission in this behalf.
7. **Maintenance of records.-** (1) The Public Information Officer shall maintain the records in respect of the applications received for information and the fees collected for giving the information.
- (2) The Departmental Appellate Authority will maintain the records in respect of all appeals received and disposed of.
- (3) The Commission shall maintain the records regarding all appeal received and disposed of.
8. **Miscellaneous.-** The 'forms', as prescribed under these Rules, need not be in authorized pre-printed stationery, but in any format neatly typed, handwritten or in electronic form, containing essential details prescribed in the form.

By the order of Governor of Bihar,

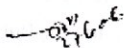


(Kumar Anshumali)

Deputy Secretary to Govt.

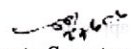
Memo No. 8/Su.A.-15-02/2006-Ka-6161 /Patna-15, Dated 28.6.06

Copy forwarded to- The Superintendent, Government Press, Gulzarbagh, Patna for publication in Extra ordinary issue of Bihar Gazette and send its 1000 (One thousand) printed copies in this Department.



Deputy Secretary to Govt.

Copy forwarded to- Secretary to Chief Minister, Bihar, Patna/ Private Secretary to Dy. Chief Minister, Bihar, Patna / Chief Secretary, Bihar, Patna, Secretary, Bihar Legislative Assembly/Legislative Council, Patna/ All Departments / All Heads of the Departments/All Divisional Commissioners / All District Magistrates for information & necessary action.


Deputy Secretary to Govt.

FORM A
(See rule 3(l))
Application form for obtaining Information
I.D. No.
(For office use)

To
The Public Information Officer
(Department/Office)

1. Name of the applicant
2. Full Address
3. Particulars of Information required (in brief) :

4. I, hereby, state that the information sought is not covered under the categories which are exempted from disclosure of information under section 8 or under section 9 of the Right to Information Act, 2005 and to the best of my knowledge, it is pertaining to your Department/office.

5. *(1) I have paid the fees Rs. _____ in words rupees
on dt. _____

vide receipt no. _____ in the Department/office of

- *(2) I enclose herewith Demand draft/Pay order No. _____ Dt.
_____ drawn in favour of _____ Officer,
issued by _____ Bank towards the fees payable.

- *(3) Non-judicial stamp of Rs. _____ is affixed on this
application.

- *(4) I belong to B.P.L. family. Xerox copy of my card/required Certificate is
enclosed herewith.

Place :

Signature of the applicant :

Date :

e-mail address, if any :

Telephone No. (Office) :

(Residence) :

Full address of correspondence :

N.B. Person belonging to B.P.L. family need not pay any type of fees.

* Strike out whichever is not applicable.

FORM B
(See rule 3(1))

Receipt of any application

From:

The Public Information Officer

(Department/office)

I.D. No. _____ Date: _____

1. Received the application dated _____ in **Form A** prescribed under sub-rule (1) of rule 3 of the Right to Information Rules, 2006 from Shri/Smt./Kum. _____, resident of _____

2. The information shall be provided within thirty days. In any case, if it is found that it is not possible to give the required information, a letter showing reasons thereof or rejecting the request shall be issued.

3. The applicant may contact the undersigned during 11.00 a.m. to 1.00 p.m. on dt. _____ (here mention the date not later than thirty days from the date of the receipt of an application).

4. In case of failure to remain present on the stipulated date by the applicant, the Public Information Officer shall not be held responsible for delay in providing information.

5. The applicant shall be required to deposit the outstanding amount of fees or charges, if any, prior to collection of the information or the documents

()

Public Information Officer :

Name of the Department/Office :

Telephone No. :

e-mail :

Website :

FORM C

(See rule 3(2))

Intimation to applicant to deposit fee and charges for required information and/or documents

To

Shri/Smt./Kum. _____

Address : _____

Sir,

With reference to your request/application dt. _____ (I.D. No. _____ dtd. _____). I am to state that you are required to deposit Rs. _____

(in words Rupees _____ only) for required information and documents sought for. It is requested to obtain the copies of the required information/documents after depositing the amount in this Department/office.

- | | |
|---|-----|
| (1) Total No. of pages _____ x Rs. 2 per page | Rs. |
| A3, A4 size | |
| (2) Total No. of Large size pages..... | Rs. |
| (except A3, A4 size) x Rs. 3 per page | |
| (3) Photo.....x Rs. 10 per photo | Rs. |
| (4) Floppy/CD charges.....x Rs 50 per piece | Rs. |
| (5) Charges for inspection of record | Rs. |
| (6) Charges for sample/Model | Rs. |

Total Rs.

Yours faithfully,

()

Public Information Officer :

Name of the Department/Office :

Telephone No. :

e-mail :

Website :

FORM D
(See rule 4(1))

Supply of information to the applicant

From:

The Public Information Officer
(Department/Office)

No:

Date :

To

Shri/Smt./Kum. _____

Address: _____

Sir,

This is with reference to your application dated: _____ (I.D. No. _____)
_____ date _____) requesting for supply of information.

2. Details of required information is enclosed herewith.

3. Out of the required information sought for/ the partial information is supplied as under:

(1)

(2)

(3)

(4)

(4). With reference to your request for supplying information, the following information/documents cannot be supplied for the following reasons :

1.

2.

3.

4.

5. If you are aggrieved by the above decision, you may prefer an appeal to _____
_____ within thirty days from the date of receipt of the decision.

6. The information has been given to you on the basis of your belonging to the BPL family and you cannot use this facts anywhere in proving yourself of BPL family and this cannot be used in other objectives.

Yours faithfully,

N.B.: Pl. specify,
Name/Address of the
appellate Authority

(_____)
Public Information Officer:
Name of the Department / Office:
Telephone No.:
e-mail :
Website:

Strike out whichever is not applicable.

FORM E
(See rule 4(2))

Transfer of application pertaining to other authority

From:
Public Information Officer
_____Department/Office
Address:_____

No:_____Dt._____

To
Shri/Smt.
(Public Information Officer)
_____Department/Office
Address:_____

Sir,
Please find enclosed herewith an application from Shri_____dt.
_____(I.D. No. _____), for the reasons stated below:

Required information does not fall within the jurisdiction of this Department office. As it falls within the jurisdiction of your Department/office, the same is transferred herewith to you for further necessary action.

It is certified that the applicant has paid Rs. _____(Rupees
_____only) on account of fees/charges for obtaining required information,
which has been credited in the Government
treasury / account.

Yours faithfully,

(_____)
Public Information Officer :
Name of the Department/Office:
Telephone No.:
e-mail:
Website:

Copy to:
To
Shri/Smt./Kum. _____
(Applicant)

As your application pertaining to required information doesn't fall within the jurisdiction of this Department/office, it has been transferred to the Public Information Officer having jurisdiction. You are requested to contact the Public Information Officer mentioned above.

Public Information Officer

FORM F
(See rule 4(1))
Order of rejection of Information

From:
Public Information Officer
_____Department/Office

Address:_____

No.:_____Dt.:_____

To
Shri / Smt. / Kum. _____
Address:_____

Sir,

With reference to your application dated:_____ I.D. No. _____
requesting for supplying information I am to state that_____

1. The information requested cannot be provided for the following reasons:

The information requested falls within the exempted categories under sub-rule (.....) of section 8 or under section 9 of the Act.

2. If you are aggrieved by the above decision, you may prefer an appeal to * _____
_____ within thirty days from the date of receipt of the decision.

N.B.: Pl. specify,
Name/Address of the
Appellate Authority

Yours faithfully,

(_____)

Public Information Officer:

Name of the Department Office:

Telephone No.:

e-mail:

Website:

FORM G
(See rule 6(1))
Form of First Appeal

I.D. No.
Date:
(For office use)

To
The Appellate Authority
(Department/office)_____

Sir,

As I have not received any decision/ As I am aggrieved by the decision of the Public Information Officer_____, I, hereby file this appeal. The particulars of my application is as under :

1. Name of the Appellant :
2. Address of Appellant :
3. (A) Name of the Public Information Officer :
Address of Public Information Officer :
(B) Department/office and address :
(C) Particulars of the decision against which the appeal is preferred including the No. & Date of such decision.
4. Date of application submitted in the **Form A** :
5. Details of Information :
 - (1) Information asked for
 - (2) Period for which information is sought
6. Date as on completion of thirty days after submitting application in **Form A**.
7. Reasons for Appeal—
 - (A) No decision is received within thirty days of submission of application in **Form A**.
 - (B) Aggrieved by the decision of Public Information Officer Dated:
8. Ground for appeal. Brief facts of the case.
9. Last date for filing the appeal :
10. Prayer/reliefs sought for :

I hereby state that the information and particulars given above are true to the best of my knowledge and belief.

Place :
Date :

Name of appellant
Signature of appellant :

Full Address of correspondence:
e-mail address, if any:
Telephone No.(Office):
Residence.:

.....cut from here.....

Acknowledgement

From:
Public Information Officer
-----Department/Office
Address:-----

I.D. No.

Date:

1. Received an appeal application of Shri-----a resident
of-----in **Form G** prescribed under sub-rule (1) of rule
6 of the Bihar Right to Information Rules, 2005.

Signature of the receipt Clerk
Office of the Appellate Authority:
Telephone No.:
e-mail:
Website:

By order and in the name of the Governor of Bihar

()
Deputy Secretary,
Personnel & Administrative Reforms Department
Government of Bihar

FORM H

Format for Information to be obtained from any section of the same Public Authority

From:
Public Information Officer
_____Department/Office
Address:_____

Letter No.:_____Date : _____

To
Shri/Smt./Kum._____
Section Officer/Under Secretary : _____
Section:_____

Sir,

The application of Shri/Smt./Kum._____ I.D. No.
_____is hereby attached.

The desired' Information relates to this department, but it is available in your
section.

Hence, desired information may kindly made available immediately.

Yours faithfully,

()
Public Information Officer :
Name of the Department/Office :
Telephone No.:
e-mail :
Website:

Schedule-I

Rates of Fees

Sl. No.	Details of the Information sought	Amount of Fees
1.	Application fee for Providing information	Rs. 10/- (Ten) per Application
2.	Other Information/Records : (a) Information on (i) A4, A3 size paper (ii) Bigger size paper (b) Sample, Model, Photograph	Rs. 2/- (Two per page Actual cost incurred on photo copying on such bigger paper Actual cost incurred
Note:- The procedure as prescribed by the concerned department to prepare the sample or model shall be followed.		
	(c) Perusal of Records	No fee for the first hour; Rs. 5/- (five) per hour and its part there after.
Note:- Wherever such system or procedure already exists, the current rate of fee for the perusal of records shall continue, and the rate above mentioned shall not apply.		
	(d) Information in Floppy/CD wherever Possible	Rs. 50/- (Fifty) per Floppy or C.D.
3	The Appellate Authority shall charge Rs. 50/- (Fifty) for each appeal application. <i>(Amended)</i>	

बिहार सरकार,
वित्त विभाग ।

‘आदेश’

सूचना का अधिकार अधिनियम-2005 की धारा 6(1) एवं 7(1) के अन्तर्गत वांछित सूचना एवं कागजात उपलब्ध कराने के लिए कार्मिक एवं प्रशासनिक सुधार विभाग के अधिसूचना सं०-2819 दिनांक-27-3-06 के आलोक में वित्त विभाग के आदेश संख्या-5541/वि०(2) दिनांक-24-8-06 द्वारा शुल्क निर्धारित किया गया था ।

कार्मिक एवं प्रशासनिक सुधार विभाग की अधिसूचना संख्या-1116 दिनांक-31-01-2007 द्वारा सूचना के अधिकार के तहत अपीलीय प्राधिकार के स्तर पर अपील दायर करने हेतु आवेदन के लिए दस रुपये प्रति अपील शुल्क निर्धारित किया गया है ।

कार्मिक एवं प्रशासनिक सुधार विभाग की उपर्युक्त अधिसूचना के आलोक में अपीलीय प्राधिकार के समक्ष अपील दायर करने हेतु शुल्क का निर्धारण नमून प्रकार किया जाता है :-

अपीलीय प्राधिकार के समक्ष
अपील दायर करने हेतु आवेदन

दस रुपये प्रति अपील

वित्त विभाग के आदेश संख्या-5541 दिनांक-24-8-06 की कंडिका-4 को इस सीमा तक संशोधित समझा जाए ।

ए०

(अजय कुमार चौधरी)
उप सचिव-सह-लो०सू० पदा०,
वित्त विभाग ।

ज्ञापांक-सू०को०-14/2006/

/वि०, पटना, दिनांक-

प्रतिलिपि-अधीक्षक राजकीय प्रेस, गुलजारबाग, पटना को राजकीय राजपत्र में प्रकाशनार्थ प्रेषित

ए०

(अजय कुमार चौधरी)
उप सचिव-सह-लो०सू०पदा०,
वित्त विभाग ।

ज्ञापांक-

/वि०, पटना, दिनांक-

प्रतिलिपि-निदेशक, भविष्य निधि निदेशालय, पटना/मुख्य लेखा नियंत्रक, बिहार, पटना/अधीक्षक, सचिवालय मुद्रणालय, गुलजारबाग, पटना/अधीक्षक, गवर्नमेंट प्रेस एवं फार्मर्स, गया को सूचनार्थ प्रेषित ।

ए०

(अजय कुमार चौधरी)
उप सचिव-सह-लो०सू०पदा०
वित्त विभाग ।

२००३

प्रशासनिक पदा०

८/०३

1188/SR
08/03/07

ज्ञापांक-

वि०, पटना, दिनांक-

प्रतिलिपि-अपर सचिव, कार्मिक एवं प्र०सु० विभाग, बिहार, पटना को उनकी अधिसूचना संख्या-1116 दिनांक-31-01-2007 के प्रसंग में सूचनार्थ प्रेषित ।

(अजय कुमार चौधरी)

उप सचिव-सह-लो०सू०पदा०,
वित्त विभाग ।

ज्ञापांक-

वि०, पटना, दिनांक-

प्रतिलिपि- सचिव, राज्य सूचना आयोग, सूचना भवन, बेली रोड, पटना को सूचनार्थ प्रेषित ।

(अजय कुमार चौधरी)

उप सचिव-सह-लो०सू०पदा०,
वित्त विभाग ।

7/3/07

बिहार सरकार
कार्मिक एवं प्रशासनिक सुधार विभाग

अधिसूचना

पटना-15, दिनांक-

संख्या-8/सू0अ0-15-02/06का0-____ सूचना का अधिकार अधिनियम, 2005 की धारा-27 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए बिहार सरकार, बिहार सूचना का अधिकार नियमावली, 2006 में तुरंत के प्रभाव से निम्नलिखित संशोधन करती है :-

संशोधन

उक्त नियमावली, 2006 के नियम-3 का उप नियम (1) निम्नलिखित द्वारा प्रतिस्थापित किया जाएगा :-

“(1) जो व्यक्ति सूचना प्राप्त करना चाहते हैं, प्रपत्र-‘क’ में विहित फीस के साथ अथवा ई-मीडिया के माध्यम से आवेदन लोक सूचना पदाधिकारी अथवा अभिहित कॉल सेन्टर को देंगे। आवेदक को आवेदन प्राप्त करने की रसीद प्रपत्र-‘ख’ में दी जाएगी। जहाँ नकद प्राप्ति रसीद की सुविधा उपलब्ध हो, वहाँ फीस का नकद रूप में भुगतान किया जा सकेगा अन्यथा डिमान्ड ड्राफ्ट या पोस्टल ऑर्डर या भुगतान-आदेश या नन-जूडिशियल स्टाम्प अथवा इलेक्ट्रॉनिकली इनेवुल्ड मीडियम द्वारा भुगतान किया जा सकेगा।”

बिहार राज्यपाल के आदेश से,

ह0/-

(गोकुल किशोर दत्त)

सरकार के उप सचिव

ज्ञापांक-8/सू0अ0-15-02/06का0-

/पटना-15, दिनांक-

प्रतिलिपि:-अधीक्षक, राजकीय मुद्रणालय गुलजारबाग, पटना को सूचनार्थ एवं बिहार राजपत्र के असाधारण अंक में प्रकाशनार्थ प्रेषित। उनसे अनुरोध है कि इस राजपत्र की दो सौ प्रतियाँ इस विभाग को उपलब्ध कराने की कृपा की जाय।

ह0/-

सरकार के उप सचिव

ज्ञापांक-8/सू0अ0-15-02/06का0-

/पटना-15, दिनांक-

प्रतिलिपि:-महालेखाकार,बिहार, पटना/सरकार के सभी विभाग/विभागध्यक्ष/सभी प्रमण्डलीय आयुक्त/सभी जिला पदाधिकारी को सूचनार्थ प्रेषित।

ह0/-

सरकार के उप सचिव

(16) सचिव सह निबंधक,
राज्य सूचना आयोग

ज्ञापांक-8/सू0अ0-15-02/06का0- 1165

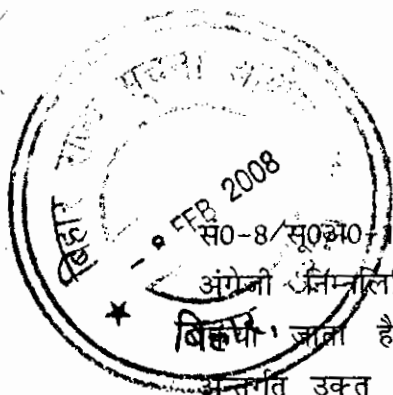
/पटना-15, दिनांक- 30.1.08

प्रतिलिपि:-मुख्य सचिव के सचिव/मुख्यमंत्री के प्रधान सचिव/विकास
आयुक्त/महानिदेशक, बिपार्ड/प्रबन्ध निदेशक, बेलटॉन/सचिव-सह-निबंधक, राज्य
सूचना आयोग, पटना को सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित ।

[Signature]
30.1.2008
सरकार के उप सचिव

कार्मिक एवं प्रशासनिक सुधार विभाग

:: अधिसूचना ::



सं०-8/सू०-15-02/06का०- 1166 /अधिसूचना सं० दिनांक 30.1.08 का
अंग्रेजी निम्नलिखित अंग्रेजी अनुवाद बिहार राज्यपाल से एकद्वारा प्रकाशित
बिज्ञापित है जो भारत के संविधान के अनुच्छेद 348 के खंड (3) के
अन्तर्गत उक्त अधिसूचना का अंग्रेजी में प्राधिकृत पाठ समझा जाएगा।

बिहार राज्यपाल के आदेश से,

सरकार के उप सचिव

Government of Bihar

Department of Personnel & Administrative Reforms

Notification

No.8/Su.Aa.-15-02/2006ka _____ Patna, Dated _____

In exercise of powers conferred by sec. 27 of the RTI Act, 2005, the Government of Bihar is pleased to make the following amendments in the Bihar, Right To Information, Rules, 2006 with immediate effect :-

Amendments

Sub rule (1) of Rule 3 of the said Rules, 2006 shall be substituted by the following :-

"(1) A person, who desires to obtain information, shall make as application in Form 'A' accompanied with the prescribed fees, or through the E-medium, to the Public Information Officer or designated Call Centre. The receipt of the application shall be given to the applicant in Form 'B'. The fees may be paid in cash, wherever facility for cash receipt is available. otherwise, by demand draft or by postal order or by pay order or in the Form of non-judicial stamp or electronically enabled medium."

By order of the Governor, Bihar
Sd/-

Dy. Secretary to the Govt. of Bihar

(13) संलग्न संकेत निम्नलिखित,
राज्य सूचना, 3-11-01,
पृष्ठ,

Memo No.-8/Su.Aa.-15-02/2006ka _____ Patna, Dated _____

Copy forwarded to the Superintendent, Government press, Gulzarbagh, Patna for information and publication in extraordinary issue of Bihar, Gazette. He is requested to send 200 copies of the said Gazette to the department.

Sd/-

Dy. Secretary to the Govt. of Bihar

Memo No.-8/Su.Aa.-15-02/2006ka _____ Patna, Dated _____

Copy forwarded to A.G., Bihar, Patna/ All Departments of the State Government/ All Head of the Departments/ All Divisional Commissioners/ All D.M.s for information.

Sd/-

Dy. Secretary to the Govt. of Bihar

Memo No.-8/Su.Aa.-15-02/2006ka 11657 Patna, Dated 30.1.03

Copy forwarded to Secretary to the Chief Secretary/Principal Secretary to the Chief Minister/ Development Commissioner/ Director Gen., BIPARD/Managing Director, BELTRON/Secretary-cum-Registrar of the State Information Commission, Patna for information and necessary action.

30.1.2003

Dy. Secretary to the Govt. of Bihar



महालेखाकार एवं डी० का कार्यालय, बिहार, पटना

पत्रांक-टी०एम०-उपशीर्ष-1652

पटना, दिनांक-24-9-2008.

प्रधान सचिव,
कार्मिक एवं प्रशासनिक सुधार विभाग,
बिहार सरकार, पटना ।

विषय:- मुख्य शीर्ष 2070-अन्य प्रशासनिक सेवाएं एवं 0070-अन्य प्रशासनिक सेवाएं, समूह शीर्ष गैर योजना एवं प्राप्ति के अन्तर्गत उपशीर्ष डी० संबंध में ।

महाशय,

उपर्युक्त विषयक आपके पत्र संख्या-8/सू०अ०-15-56/07-7462 दिनांक

8-7-2008 के संदर्भ में महालेखाकार, बिहार, पटना ने मुख्य शीर्ष 2070-अन्य प्रशासनिक सेवाएं एवं 0070-अन्य प्रशासनिक सेवाएं, समूह शीर्ष गैर योजना एवं प्राप्ति के अन्तर्गत प्रस्तावित उप शीर्ष डीलने की सहमति प्रदान की है, जो निम्नवत है:-

मुख्य शीर्ष	उप मुख्य शीर्ष	लघु शीर्ष	उप शीर्ष
2070	00	800	0018-सूचना आवेदकों को देय क्षति पूर्ति विपत्र कोड-एन-2070008000018
0070	60	118	0003-लोक सूचना पदाधिकारी से डेटा टैंड राशि विपत्र कोड-आर-0070601180003

कृपया पत्र की पोषती दें ।

धन्य दी य,

डी०/-

लेखा अधिकारी, बिहार
पटना ।

बिहार सरकार,

कार्मिक एवं प्रशासनिक सुधार विभाग ।

आप संख्या-8/सू०अ०-15-56/2007-क०-1156-पटना, दिनांक 17 अक्टू

प्रतिलिपि-सभी विभाग/विभागाध्यक्ष/तथा सचिव, राज्य सूचना आयोग पटना को उनके पत्रांक-2230 दिनांक 17-3-2008 के प्रसंग में सूचना एवं आचार कार्यवाई हेतु प्रेषित ।

नरेश/

सहस्र प्रसाद
सरकार के उप सचिव
नरेश

बिहार सरकार
कार्मिक एवं प्रशासनिक सुधार विभाग

अधिसूचना

पटना-15, दिनांक 19.11.2006

संख्या-8/सू.अ.-15-02/2006का. 12.5.2.2/सूचना का अधिकार अधिनियम, 2005 (अधिनियम 22, 2005) की धारा-27 में प्रदत्त शक्तियों के प्रयोग करते हुए बिहार सरकार बिहार सूचना का अधिकार नियमावली, 2006 में संशोधन के लिए निम्नांकित नियमावली बनाती है :-

1. संक्षिप्त नाम, विस्तार और प्रारम्भ :-

- (1) यह नियमावली बिहार सूचना का अधिकार (संशोधन) नियमावली, 2006 कही जा सकेगी ।
- (2) इसका विस्तार सम्पूर्ण बिहार राज्य में होगा ।
- (3) यह तुरन्त प्रवृत्त होगी ।

2. बिहार सूचना का अधिकार नियमावली, 2006 का नियम-2 [यहाँ इसके बाद 'मुख्य नियमावली' के रूप में संदर्भित] का संशोधन :-

मुख्य नियमावली के नियम-2 में खण्ड-(घ) के बाद एक नया खण्ड-(छ) जोड़ा जाएगा :-

खण्ड-(छ) जानकारी कॉल सेन्टर से अभिप्रेत है राज्य सरकार का एक पहल, जिसके माध्यम से दूरभाष/इलेक्ट्रॉनिक मीडिया द्वारा संबंधित लोक सूचना पदाधिकारी से सूचना माँगी जा सकती है ।

3. मुख्य नियमावली के नियम-3 का संशोधन :-

(1) मुख्य नियमावली के नियम-3 के उप नियम-(2) के खंड(ii) के परन्तुक के पहले निम्नलिखित खण्ड जोड़ा जायेगा:-

(ii) उक्त शुल्क जमा करते समय आवेदक स्वयं लिखित एवं डाक टिकट (सामान्य डाक, निबंधित डाक या स्पीड पोस्ट) सटा हुआ लिफाफा भी लोक सूचना पदाधिकारी को प्रेषित करेगा। यदि किसी आवेदक ने स्वयं लिखित एवं डाक टिकट सटा हुआ लिफाफा नहीं संलग्न किया है तो इस आधार पर उसका आवेदन अस्वीकृत नहीं होगा ।

(2) मुख्य नियमावली के नियम-3 के उप नियम-2 के खण्ड-(ii) के परन्तुक के बाद निम्नलिखित द्वितीय परन्तुक जोड़ा जाएगा :-

परन्तु गरीबी रेखा से नीचे वाले परिवार के ऐसे व्यक्तियों को मात्र 10 (दस) पृष्ठों तक की सूचना निःशुल्क दी जा सकेगी और 10 पृष्ठों से ज्यादा होने पर नियमानुसार शुल्क प्रभारित की जायेगी ।

4. नया नियम-3-क का जोड़ा जाना :-

मुख्य नियमावली के नियम-3 के बाद निम्नलिखित नियम जोड़ा जाएगा :-

3. क. सूचना का अधिकार अधिनियम, 2005 के अधीन सूचना के लिए लिखित अनुबंध एकमात्र विषय से संबंधित होगा और यह सामान्यतया एक सौ पचास शब्दों से अधिक नहीं होगा । यदि कोई आवेदक एक से अधिक विषयों पर सूचना चाहता हो तो वह अलग-अलग आवेदन सक्षम लोक सूचना पदाधिकारी के समक्ष दे सकता है ।

परन्तु यह कि यदि एक से अधिक विषयों से संबंधित सूचना के लिए अनुबंध किया जाता है तो लोक सूचना पदाधिकारी प्रथम विषय मात्र से सूचना देगा और आवेदक को परामर्श देगा कि अन्य विषयों में से प्रत्येक के संबंध में अलग-अलग आवेदन करें ।

5. मुख्य नियमावली के नियम-4 में उप नियमों का जोड़ा जाना :-

मुख्य नियमावली में नियम-4 में उप नियम (2) के बाद नियम जोड़ा जाएगा :-

(3) केवल ऐसी सूचना प्रदान की जाएगी जो लोक प्राधिकरण के पास पहले से मौजूद है अथवा उसके नियंत्रण में है ।

(4) यदि कोई व्यक्ति किसी ऐसी सूचना के लिए किसी लोक प्राधिकरण को आवेदन देता है, जो किसी अन्य लोक प्राधिकरण से संबंधित है तो ऐसे मामले में, आवेदन प्राप्तकर्ता लोक सूचना पदाधिकारी आवेदन संबंधित लोक प्राधिकरण का अंतरित कर देगा और इसकी सूचना आवेदक को भी देगा । यदि प्राप्तकर्ता लोक प्राधिकरण या लोक सूचना पदाधिकारी समुचित प्रयास करने के बाद भी संबंधित लोक प्राधिकरण का पता नहीं लगा पाए, तो वह आवेदक को सूचित कर देगा कि माँगी गई सूचना उसके पास उपलब्ध नहीं है तथा उसे यह भी पता नहीं है कि सूचना किस लोक प्राधिकरण के पास उपलब्ध होगी ।

(5) यदि कोई व्यक्ति किसी लोक प्राधिकरण से ऐसी सूचना माँगता है, जिसका कुछ भाग उस लोक प्राधिकरण के पास है तथा शेष सूचना किसी अन्य लोक प्राधिकरण के पास उपलब्ध है तो ऐसी स्थिति में, लोक सूचना पदाधिकारी उपलब्ध सूचना दे देगा तथा आवेदन की एक प्रति आवेदक को सूचित करते हुए संबंधित लोक प्राधिकरण के पास शेष भाग की सूचना प्रदान करने के लिए भेज देगा ।

(6) यदि कोई व्यक्ति किसी लोक प्राधिकरण से ऐसी सूचना माँगता है जिसका कुछ भाग उसके पास उपलब्ध है तथा शेष सूचना अन्य कई लोक प्राधिकरणों के पास है तो ऐसी स्थिति में, आवेदन प्राप्तकर्ता लोक प्राधिकरण का लोक सूचना पदाधिकारी अपने से संबंधित सूचना दे देगा तथा साथ ही आवेदक को सलाह देगा कि शेष सूचना प्राप्त करने के लिए वह संबंधित लोक प्राधिकरणों को अलग-अलग आवेदन करे ।

(7) 'जानकारी' कॉल सेन्टर द्वारा प्राप्त कोई आवेदन यदि किसी ऐसे लोक सूचना पदाधिकारी को प्रेषित किया जाता है और वह आवेदन वास्तव में किसी अन्य लोक सूचना

1979

सरकार के उप सचिव ।

प्रतिलिपि :- अधीक्षक, राजकीय मुद्रणालय, एनजारबाग, पटना बिहार को राजपत्र

के असाधारण अंक में प्रकाशनार्थ एवं इसकी मुद्रित 500 (पाँच सौ) प्रतियाँ विभाग को सुलभ कराने हेतु प्रेषित ।

14607
191 x 15

सरकार के उप सचिव ।

प्रतिलिपि :- मुख्य मंत्री, बिहार, पटना के अतिथि/उप मुख्य मंत्री, बिहार, पटना के

आप्त सचिव, मुख्य सचिव, बिहार, पटना/सभी विभाग, सभी विभागाध्यक्ष/सभी प्रमण्डलीय आयुक्त/महानिदेशक, बिपार्ड, पटना/सचिव, बिहार सूचना आयोग तथा सभी जिला पदाधिकारी को सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित ।

~~Hyell~~
191 x 11

सरकार के उप सचिव ।

प्रतिलिपि :—सचिव, बिहार विधान सभा, पटना तथा सचिव, बिहार विधान परिषद,

पटना को एक सी0डी0 तथा दो अतिरिक्त प्रतियों के साथ सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित ।

उप सचिव

सरकार के उप सचिव

प्रतिलिपि :-संयुक्त सचिव, मंत्रिमंडल सचिवालय विभाग, बिहार, पटना को

मंत्रिपरिषद् की दिनांक 17.11.09 की नद संख्या-18 द्वारा स्वीकृति के अनुपालन में सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित ।

14/11/21

सरकार के उप सचिव

बिहार सरकार
कार्मिक एवं प्रशासनिक सुधार विभाग

अधिसूचना

पत्रांक-15, दिनांक 19.11.2006

संख्या-8/सूअ-15-02/2006कल/2522/सूचना का अधिकार अधिनियम, 2005 (अधिनियम 22, 2005) की धारा-27 में प्रदत्त शक्तियों के प्रयोग करते हुए बिहार सरकार बिहार सूचना का अधिकार नियमावली, 2006 में संशोधन के लिए निम्नलिखित नियमावली बनाती है

1. संक्षिप्त नाम, विस्तार और प्रारम्भ :-

(1) यह नियमावली बिहार सूचना का अधिकार (संशोधन) नियमावली, 2009 कहई जा सकेगी ।

(2) इसका विस्तार सम्पूर्ण बिहार राज्य में होगा ।

(3) यह तुरत प्रवृत्त होगी ।

2. बिहार सूचना का अधिकार नियमावली, 2006 के नियम-2 [यहाँ इसके बाद 'मुख्य नियमावली' के रूप में संदर्भित] का संशोधन :-

मुख्य नियमावली के नियम-2 में खण्ड-(घ) के बाद एक नया खण्ड-(छ) जोड़ा जाएगा :-

खण्ड-(छ) जानकारी कॉल सेन्टर से अभिप्रेत है राज्य सरकार का एक पहल, जिसके माध्यम से दूरभाष/इलेक्ट्रॉनिक मीडिया द्वारा संबंधित लोक सूचना पदाधिकारी से सूचना माँगी जा सकती है ।

3. मुख्य नियमावली के नियम-3 का संशोधन :-

(1) मुख्य नियमावली के नियम-3 के उप नियम-(2) के खंड(ii) के परन्तुक के पहले निम्नलिखित खण्ड जोड़ा जायेगा:-

(ii) उक्त शुल्क जमा करते समय आवेदक स्वयं लिखित एवं डाक टिकट (सामान्य डाक, निबंधित डाक या स्पीड पोस्ट) सटा हुआ लिफाफा भी लोक सूचना पदाधिकारी को प्रेषित करेगा। यदि किसी आवेदक ने स्वयं लिखित एवं डाक टिकट सटा हुआ लिफाफा नहीं संलग्न किया है तो इस आधार पर उसका आवेदन अस्वीकृत नहीं होगा ।

(2) मुख्य नियमावली के नियम-3 के उप नियम-2 के खण्ड-(ii) के परन्तुक के बाद निम्नलिखित द्वितीय परन्तुक जोड़ा जाएगा :-

परन्तु गरीबी रेखा से नीचे वाले परिवार के ऐसे व्यक्तियों को मात्र 10 (दस) पृष्ठों तक की सूचना निःशुल्क दी जा सकेगी और 10 पृष्ठों से ज्यादा होने पर नियमानुसार शुल्क प्रभारित की जायेगी ।

4. नया नियम-3-क का जोड़ा जाना :-

मुख्य नियमावली के नियम-3 के बाद निम्नलिखित नियम जोड़ा जाएगा -

3. क. सूचना का अधिकार अधिनियम, 2005 के अधीन सूचना के लिए लिखित अनुरोध एकमात्र विषय से संबंधित होगा और यह सामान्यतया एक से पचास शब्दों से अधिक नहीं होगा। यदि कोई आवेदक एक से अधिक विषयों पर सूचना चाहता हो तो वह अलग-अलग आवेदन सक्षम लोक सूचना पदाधिकारी के समक्ष दे सकता है।

परन्तु यह कि यदि एक से अधिक विषयों से संबंधित सूचना के लिए अनुरोध किया जाता है तो लोक सूचना पदाधिकारी प्रथम विषय मात्र से सूचना देगा और आवेदक को परामर्श देगा कि अन्य विषयों में से प्रत्येक के संबंध में अलग-अलग आवेदन करें।

5. मुख्य नियमावली के नियम-4 में उप नियमों को जोड़ा जाना :-

मुख्य नियमावली में नियम-4 में उप नियम (2) के बाद नियम जोड़ा जाएगा -

(3) केवल ऐसी सूचना प्रदान की जाएगी जो लोक प्राधिकरण के पास पहले से मौजूद है अथवा उसके नियंत्रण में है।

(4) यदि कोई व्यक्ति किसी ऐसी सूचना के लिए किसी लोक प्राधिकरण को आवेदन देता है, जो किसी अन्य लोक प्राधिकरण से संबंधित है तो ऐसे मामले में, आवेदन प्राप्तकर्ता लोक सूचना पदाधिकारी आवेदन संबंधित लोक प्राधिकरण का अंतरित कर देगा और इसकी सूचना आवेदक को भी देगा। यदि प्राप्तकर्ता लोक प्राधिकरण या लोक सूचना पदाधिकारी समुचित प्रयास करने के बाद भी संबंधित लोक प्राधिकरण का पता नहीं लगा पाए, तो वह आवेदक को सूचित कर देगा कि माँगी गई सूचना उसके पास उपलब्ध नहीं है तथा उसे यह भी पता नहीं है कि सूचना किस लोक प्राधिकरण के पास उपलब्ध होगी।

(5) यदि कोई व्यक्ति किसी लोक प्राधिकरण से ऐसी सूचना माँगता है, जिसका कुछ भाग उस लोक प्राधिकरण के पास है तथा शेष सूचना किसी अन्य लोक प्राधिकरण के पास उपलब्ध है तो ऐसी स्थिति में, लोक सूचना पदाधिकारी उपलब्ध सूचना दे देगा तथा आवेदन की एक प्रति आवेदक को सूचित करते हुए संबंधित लोक प्राधिकरण के पास शेष भाग की सूचना प्रदान करने के लिए भेज देगा।

(6) यदि कोई व्यक्ति किसी लोक प्राधिकरण से ऐसी सूचना माँगता है जिसका कुछ भाग उसके पास उपलब्ध है तथा शेष सूचना अन्य कई लोक प्राधिकरणों के पास है तो ऐसी स्थिति में, आवेदन प्राप्तकर्ता लोक प्राधिकरण का लोक सूचना पदाधिकारी अपने से संबंधित सूचना दे देगा तथा साथ ही आवेदक को सलाह देगा कि शेष सूचना प्राप्त करने के लिए वह संबंधित लोक प्राधिकरणों को अलग-अलग आवेदन करे।

(7) 'जानकारी' कॉल सेन्टर द्वारा प्राप्त कोई आवेदन यदि किसी ऐसे लोक सूचना पदाधिकारी को प्रेषित किया जाता है और वह आवेदन वास्तव में किसी अन्य लोक सूचना

पदाधिकारी से संबंधित होता है, तो प्राप्तकर्ता नामक सूचना पदाधिकारी को प्रेषित कर सहायक लोक सूचना पदाधिकारी के समक्ष सूचना का अधिकार अधिनियम, 2005 की धारा 5(2) के अन्तर्गत जैसा आवश्यक हो, निष्पादन हेतु स्थानांतरित कर दिया जायेगा। गाम्भीर्य से प्रश्न का निष्पादन प्राप्त करने वाला लोक सूचना पदाधिकारी सूचना देने हेतु उस आवेदन के लिए लोक सूचना पदाधिकारी नहीं समझा जायेगा।

बिहार राजपत्र, पटना, पटना-15, दिनांक 19.11.2009

(संयुक्त सचिव)

सरकार के उप सचिव।

ज्ञापांक-8/सू.अ.-15-02/2006का 12522 / पटना-15, दिनांक 19.11.2009

प्रतिलिपि :- अधीक्षक, राजकीय मुद्रणालय, पुनजारबाग, पटना बिहार का राजपत्र के असाधारण अंक में प्रकाशनार्थ एवं इसकी मुद्रित 500 (पाँच सौ) प्रतियाँ विभाग को सुलभ कराने हेतु प्रेषित।

सरकार के उप सचिव।

ज्ञापांक-8/सू.अ.-15-02/2006का 12522 / पटना-15, दिनांक 19.11.2009

प्रतिलिपि :- मुख्य मंत्री, बिहार, पटना के सचिव/उप मुख्य मंत्री, बिहार, पटना के आप्त सचिव, मुख्य सचिव, बिहार, पटना/सभी विभाग/सभी विभागाध्यक्ष/सभी प्रमण्डलीय आयुक्त/महानिदेशक, बिपार्ड, पटना/सचिव, बिहार सूचना आयोग तथा सभी जिला पदाधिकारी को सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित।

सरकार के उप सचिव।

ज्ञापांक-8/सू.अ.-15-02/2006का 12522 / पटना-15, दिनांक 19.11.2009

प्रतिलिपि :- सचिव, बिहार विधान सभा, पटना तथा सचिव, बिहार विधान परिषद, पटना को एक सी0डी0 तथा दो अतिरिक्त प्रतियों के साथ सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित।

सरकार के उप सचिव।

ज्ञापांक-8/सू.अ.-15-02/2006का 12522 / पटना-15, दिनांक 19.11.2009

प्रतिलिपि :- संयुक्त सचिव, मंत्रिमंडल सचिवालय विभाग, बिहार, पटना को मंत्रिपरिषद की दिनांक 17.11.09 की मद संख्या-18 द्वारा स्वीकृति के अनुपालन में सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित।

सरकार के उप सचिव।

बिहार सरकार
सामान्य प्रशासन विभाग

॥ अधिसूचना ॥

पटना-15, दिनांक- 16/11/11

संख्या -3/एम-75/2008 सां० 3468 / भारत संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए बिहार राज्यपाल बिहार सरकारी सेवक आचार नियमावली, 1976 में संशोधन करने के लिए निम्नलिखित नियमावली बनाते हैं-

1. संक्षिप्त नाम, विस्तार एवं प्रारम्भ ।-

- (1) यह नियमावली बिहार सरकारी सेवक आचार (संशोधन) नियमावली, 2011 कही जाएगी।
- (2) इसका विस्तार प्रत्येक ऐसे व्यक्ति तक होगा जो बिहार राज्य के कार्यों से संबंधित किसी सिविल सेवा में या किसी पद पर नियुक्त हो और जो सरकार की नियम विधायी शक्तियों के अधीन हो।
- (3) यह तुरत प्रवृत्त होगी।

2. बिहार सरकारी सेवक आचार नियमावली, 1976 के नियम-12 के बाद नया नियम-12-क जोड़ा जाना ।- उक्त नियमावली के नियम- 12 के बाद एक नया नियम 12-क निम्नानुसार जोड़ा जाएगा-

"12-क. प्रत्येक सरकारी सेवक, अपने ऊपर सौंपे गये कर्तव्यों के सदभावपूर्वक पालन के प्रयोजनार्थ जनता में से किसी को या किसी संस्था को पूर्ण एवं सही जानकारी, जिसका खुलासा सूचना का अधिकार अधिनियम, 2005 के तहत किया जा संकत हो, का संसूचन करेगा।

स्पष्टीकरण- इस नियम के प्रावधानों का यह अर्थ कदापि नहीं लगाया जायेगा कि किसी वर्गीकृत सूचना का किसी अप्राधिकृत रूप में अथवा किसी सरकारी सेवक या अन्य को अनुचित लाभ के लिए संसूचन की अनुमति दी गई है।"

3. बिहार सरकारी सेवक आचार नियमावली, 1976 के नियम-14 के उपनियम (2), उपनियम (3) एवं उपनियम (4) में संशोधन ।-

उक्त नियमावली के नियम-14 में जहाँ-जहाँ अंकों एवं शब्दों में क्रमशः "500/- रु०(पाँच सौ)", "200/- रु०(दो सौ रुपये)", "75/- रु०(पचहत्तर रुपये)" एवं "25/- रु०(पच्चीस रुपये)" का प्रयोग हुआ है वहाँ-वहाँ उसे अंकों एवं शब्दों क्रमशः "15000/- रु० (पंद्रह हजार रुपये)", "6000/- रु० (छह हजार रुपये)", "3000/- रु० (तीन हजार रुपये)" एवं "1500/- रु० (एक हजार रुपये)" से प्रतिस्थापित किया जायेगा।

4. बिहार सरकारी सेवक आचार नियमावली, 1976 के नियम-19 में संशोधन ।-

(i) उक्त नियमावली के नियम-19 के उपनियम (1) में शब्द समूहों 'हरेक बारह मासों के अंतराल पर' के बाद और शब्द-समूहों 'अपनी आस्तियों एवं दायित्वों' के पूर्व, शब्द-समूहों 'अर्थात् 31 दिसम्बर के बाद 28/29 फरवरी तक' को अंतःस्थापित किया जायेगा।

(ii) उक्त नियमावली के नियम-19 के उपनियम (3) को निम्नलिखित से प्रतिस्थापित किया जायेगा:-

“(3) प्रत्येक सरकारी सेवक, सभी ऐसे संव्यवहार के संबंध में, जिसका मूल्य सरकारी सेवक के दो माहों के मूल वेतन जोड़ ग्रेड-वेतन से अधिक हो, ऐसे संव्यवहार के पूर्ण होने के एक माह के अन्दर सरकार को जानकारी देगा;

परन्तु यह कि यदि ऐसा कोई संव्यवहार किसी ऐसे व्यक्ति के साथ हो जिसका सरकारी सेवक के साथ पदीय कारबार चलता हो तो सरकार की पूर्व मंजूरी ली जायेगी।”

(iii) उक्त नियमावली के नियम-19 के उपनियम (1) की टिप्पणी (2) तथा उपनियम (5) के स्पष्टीकरण के खंड (क) में अंक एवं शब्द “1000/- रु० (एक हजार रुपये)” को अंक एवं शब्दों “30,000/- रु० (तीस हजार रुपये)” से प्रतिस्थापित किया जायेगा।

(iv) उक्त नियमावली के नियम 19 के उपनियम (7) के बाद निम्नलिखित एक नया उपनियम (8) जोड़ा जाएगा-

“(8) वांछित विवरणी समय पर नहीं समर्पित करने वाले सरकारी सेवक का वेतन भुगतान, सरकार या विहित प्राधिकारी विवरणी समर्पित करने तक रोक सकेंगे। समय पर विवरणी नहीं समर्पित किया जाना, अपने सरकारी कर्तव्य पालन में गम्भीर कदाचार माना जाएगा जिसके लिए वह विभागीय कार्यवाही का दायी होगा।”

बिहार राज्यपाल के आदेश से,



(नवीन चन्द्र झा)

सरकार के संयुक्त सचिव।

ज्ञाप संख्या -3/एम-75/2008 सा०.....3468/

पटना, दिनांक 16/11 2011

प्रतिलिपि- अधीक्षक, सचिवालय मुद्रणालय, गलजारबाग, पटना को बिहार राजपत्र के असाधारण अंक में प्रकाशनार्थ प्रेषित।



(नवीन चन्द्र झा)

सरकार के संयुक्त सचिव।

ज्ञाप संख्या -3/एम-75/2008 सा०.....3468/

पटना, दिनांक 16/11 2011

प्रतिलिपि :- सभी विभाग/सभी विभागाध्यक्ष/सभी प्रमंडलीय आयुक्त/सभी जिला पदाधिकारी को सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित।



(नवीन चन्द्र झा)

सरकार के संयुक्त सचिव।

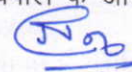
बिहार सरकार
सामान्य प्रशासन विभाग

अधिसूचना

पटना-15, दिनांक-16/11/2011

संख्या -3/एम-75/2008 सां० 3469/ अधिसूचना संख्या 3468 दिनांक 16/11/11 का निम्नलिखित अँगरेजी अनुवाद बिहार राज्यपाल के प्राधिकार से एतद द्वारा प्रकाशित किया जाता है, जो भारत-संविधान के अनुच्छेद 348 के खंड(3) के अधीन अँगरेजी भाषा में इसका प्राधिकृत पाठ समझा जायेगा।

बिहार राज्यपाल के आदेश से,


16-11-11

(नवीन चन्द्र झा)

सरकार के संयुक्त सचिव।

Government of Bihar
General Administration Department

NOTIFICATION

No. 3/M-75/2008...3468/ In exercise of powers conferred by proviso to Article 309 to the constitution of India, The Governor Bihar is pleased to make following Rules to amend the Bihar Government Servants Conduct Rules, 1976 –

1. **Short title, extent & commencement.**— (1) These Rules may be called “Bihar Government Servant Conduct (Amendment) Rules, 2011.
(2) These Rules shall apply to every person appointed to a Civil Service or post in connection with the affairs of the state of Bihar and who are subject to Rules making powers of the Government.
(3) It shall come into force at once.
2. **Addition of a new Rule 12-A after Rule-12 of Bihar Government Servants Conduct Rules, 1976-** In the said Rules, after rule-12, the following new rule 12-A shall be added
“12-A”. Every Government servant shall, in performance of this duties in good faith communicate to a member of public or any organization full and accurate information, which can be disclosed under the Right to Information Act, 2005.
Explanation.- “ Nothing in this rule shall be considered as permitting communication of classified information in an unauthorized manner or for improper gains to a Government servant or others.”
3. **Amendment in sub-rule(2), sub-rule(3) and sub-rule(4) of Rule-14 of the Bihar Government Servants Conduct Rules, 1976.-** In the said Rules, in rule 14 wherever the figures and words as “Rs. 500/-(Five hundred)”, “Rs. 200/-(Two hundred)”, “Rs. 75/-(Seventy five)” and “Rs. 25/-(Twenty five)”, respectively been used, shall be substituted by

the figures and words “₹ 15,000 (Fifteen thousand)”, “₹ 6,000 (Six thousand)”, “₹ 3,000 (Three thousand)” and “₹ 1,000 (One thousand)”, respectively.

4. Amendment in rule 19 of the Bihar Government Servants Conduct Rules, 1976.-

- (i) In said Rules, in sub-rule (1) of rule-19, after the group of words “at the interval of every twelve months” and before the group of words “submit to the”, the group of words, i.e. after 31st December till 28/29th February,” shall be inserted.
- (ii) In the said Rules, sub-rule (3) of rule 19 shall be substituted by the following:-
“(3) Every government servant shall intimate the Government in respect of each transaction, whose value exceeds two months basic pay plus grade pay of the government servant within a month of the completion of such transaction;
Provided that, the previous sanction of the Government shall be obtained if any such transaction is to be done with a person having official dealings with a government servant.”
- (iii) In the said Rule, in the note-(II) of sub-rule (1) and part (a) of the explanation of sub-rule(5) of Rule 19 the figure and word Rs. 1000/-(One thousand) shall be substituted by the figure and word ₹ 30,000(Thirty thousand).
- (iv) **In the said rule the following new sub rule (8) will be added after sub rule(7)-**
“(8) The Government or the prescribed authority may stop the salary of the Government Servant not submitting the required return on time till he/she submits the return. Not submitting the return on time will be construed as grave misconduct in discharge of his/her duty for which he/she will be liable for departmental proceedings.”

By the order of the Governor of Bihar

(Navin Chandra Jha)

Joint Secretary to Government

ज्ञाप संख्या -3/एम-75/2008 सा० 3469/

पटना, दिनांक 16/11/2011

प्रतिलिपि- अधीक्षक, सचिवालय मुद्रणालय, गुलजारबाग, पटना को बिहार राजपत्र के असाधारण अंक में प्रकाशनार्थ प्रेषित।

(नवीन चन्द्र झा)

सरकार के संयुक्त सचिव।

ज्ञाप संख्या -3/एम-75/2008 सा० 3469/

पटना, दिनांक 16/11/2011

प्रतिलिपि :- सभी विभाग/सभी विभागाध्यक्ष/सभी प्रमंडलीय आयुक्त/सभी जिला पदाधिकारी को सूचना एवं आवश्यक कार्रवाई हेतु प्रेषित।

(नवीन चन्द्र झा)

सरकार के संयुक्त सचिव।